

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - January 12, 1972

Appeal No. 110370 Frederick and Bernice Hammond Jackson,
appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried,
the following Order of the Board was entered at the meeting of
June 13, 1972.

EFFECTIVE DATE OF ORDER - June 14, 1972

ORDERED:

That the appeal for variance from the provisions of Section
7204 to permit off-street parking space less than 9 x 19 for
dancing school at 2009 Benning Road, NE., Lot 811, Square 4515,
be granted.

FINDINGS OF FACT:

1. The subject property is located in a C-2-A District.
2. The property is improved with a two-story brick
building with basement. The basement is used as storage.
3. The first floor of the building is used as the dance
studio and the second floor is used as a practice room.
4. The appellant request a variance from the provisions
of Section 7204 to permit off-street parking space less than
9 x 19.
5. The variance on one of the parking space is less
than one foot in that the actual size of the parking space is
9 x 8.48 feet.
6. Appellant stated that the denial of this application
would work an undue hardship on him in not being able to utilize
his property to his best advantage.

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7. There was no objection registered as to the granting of this appeal.

OPINION:

We are of the opinion that the appellant has proven a sufficient amount of hardship as requested by the Zoning Regulations and the recent case of Gardner E. Palmer vs. Board of Zoning Adjustment.

We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY THE ORDER OF THE BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: _____
GEORGE A. GROGAN
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.